

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOSEPH VICTOR LAGANA,

Plaintiff,

v.

SAN FRANCISCO POLICE DEPARTMENT,

Defendant.

No. C 08-3392 CW

ORDER TAKING  
MOTION UNDER  
SUBMISSION ON THE  
PAPERS

On July 21, 2008, Defendant City and County of San Francisco, erroneously named as San Francisco Police Department, filed a motion to dismiss or, in the alternative, for a more definite statement. The Court on its own motion will take Defendant's motion under submission on the papers. The hearing previously scheduled for August 28, 2008 is hereby vacated.

Plaintiff's opposition to the motion will be due on August 7, 2008, and any reply by Defendant will be due on August 14, 2008.

**Failure by Plaintiff timely to file a written response to Defendant's motion will result in dismissal of the case for failure to prosecute.**

Dated: 7/30/08



CLAUDIA WILKEN  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JOSEPH LAGANA,  
Plaintiff,

Case Number: CV08-03392 CW

**CERTIFICATE OF SERVICE**

v.

SAN FRANCISCO POLICE DEPT et al,  
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 30, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Meghan Kathleen Higgins  
Andrew Martin Gschwind  
San Francisco City Attorney's Office  
1390 Market Street, 6th Floor  
San Francisco, CA 94102

Joseph Victor Lagana  
5238 Cartwright Avenue #8  
N. Hollywood, CA 91601

Dated: July 30, 2008

Richard W. Wieking, Clerk  
By: Sheilah Cahill, Deputy Clerk

United States District Court  
For the Northern District of California